IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.109 OF 2006
IN
WRIT PETITION NO.7033 of 2003

Shree Sadguru Jangli Maharaj Bank..Petitioner

Vs.

V.K. Sons & Ors.....Respondents

Mr. A.M. Joshi, for the Applicants.
Mr. Madhav Jamdar for Respondents 1 to 3.

CORAM: F.I. REBELLO &
DR. D.Y.CHANDRACHUD, JJ.
DATE : 13TH JANUARY, 2006
P.C.

. By the present application the petitioner bank has sought modification of the order dated 31st March, 2005. By that order the Assistant Registrar was permitted to proceed with the proceedings, but not to pass final orders. By the present Civil Application the petitioner prays that the Assistant Registrar should be permitted to pass the final order on the conclusion of the proceedings.

2. The limited issue was as to jurisdiction of the Assistant Registrar under Section 101 of the Maharashtra Co-operative Societies Act. The Full Bench of this Court has taken the view that the matter will have to go before the Tribunal constituted under the DRT Act. That judgment has been stayed by the Apex Court. Considering that we are of the opinion that the Assistant Registrar should be allowed to proceed with the matter. If the respondents are aggrieved they have a remedy by way of Revision under law. Considering the above the order dated 31st March, 2005 which modified earlier order dated 14th October, 2003 is further modified to the extent that it is open to the Assistant Registrar to pass

appropriate orders according to law on conclusion of the proceedings.

. Civil Application stands disposed of accordingly.

(**F.I. REBELLO, J.**)

(DR. D.Y. CHANDRACHUD, J.)